



A MONTHLY ELECTRONIC NEWSLETTER TO THE 41<sup>st</sup> ASSEMBLY DISTRICT  
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

FEBRUARY 2003 ISSUE

## Attorney General to Support Ahmanson Lawsuits

Following the approval by Ventura County of the Final Supplemental EIR for this project, a number of lawsuits were filed challenging the sufficiency of the environmental review. Yesterday, I was very pleased to receive a letter from State Attorney General Bill Lockyer stating that his office intends to join those suits. Below is an excerpt from that letter:

“Dear Fran:

Thank you for your recent letter regarding the decision of Ventura County (County) to approve the Supplemental Environmental Impact Report for the Ahmanson Ranch project. I share many of the views expressed in your letter, and I am particularly concerned about the possible impacts of the project on the habitat of endangered species and water quality. I also believe that traffic impacts have not been adequately analyzed and that the traffic study used by the County in its approval needs to be updated.

As you may know, several parties have already filed suit pursuant to the California Environmental Quality Act (CEQA) challenging the County's approval of the SEIR. These parties include: the cities of Los Angeles, Agoura Hills, Malibu and Calabasas, the County of Los Angeles, and environmental groups. My staff has met with the petitioners and is coordinating fully with them. **Accordingly, I have made the decision that my office will support the petitioners in their challenge to the approval of Ahmanson Ranch as an amicus curiae (friend of the court) ....**”

I am deeply grateful to Attorney General Lockyer for taking the time to review the many concerns that have been raised about the approval of this very troublesome project. Thanks to his intercession, the State of California will now be engaged as a party to the litigation that has as its goal ensuring that all protections afforded under California Environmental Quality Act are strictly and fully applied to Ahmanson Ranch.

## State Budget Update

Since the roughly \$30 billion state budget shortfall overlays so many of the other decisions that are being made in Sacramento at present, I would like to take this opportunity to present a somewhat lengthier-than-usual summary of the current budget situation.

The reasons for the budget gap are many and varied.

- **Stock Market** – 48% of the state's general fund comes from personal income taxes, which are a relatively unstable source of revenue that is subject to wild swings of the stock market. The collapse of the dot-com economy caused many individuals and corporations to write-off their losses, which resulted in reduced capital gains and personal income tax revenue to the state.

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- **Investments in Education** – The single largest expenditure of increased revenue by the state from the late 1990s to the present is to our schools and colleges. California is finally moving forward from our low in the early 1990s of 49<sup>th</sup> in the country up to 29<sup>th</sup> today in terms of the amounts spent per pupil. Now is not the time to go backward. A well-educated workforce is vital to our state's economy.
- **Tax Credits and VLF Rebates** – These cost the state close to \$5 billion every year, and were added during the boom times – ex., manufacturing tax credits amounting to \$400 million annually. The legislature is holding hearings to review each tax credit to make sure that they continue to be wise investments. (Did you know that it takes a simple majority vote to add a tax credit, but a 2/3 vote to rescind them or any line item?)
- **Increases in Health Care and Human Services** – Six million Californians are still uninsured, with the vast majority children or full-time working adults. The largest increase in expenditures was to enroll thousands of children in the Healthy Families program. This Federal program matches Federal to state dollars. So far it has not been cut. Essential support services for seniors, children and the disabled will be hard to cut. In addition, legislative hearings will be held to look at allegations of Medi-Cal fraud.

Many of us believe that the final budget will be balanced with a combination of both cuts and new revenues. You may have been reading about the difference in approach between the Governor and the legislature.

- The Governor proposed \$10.2 billion in cuts, which included cutting the \$4 billion backfill to local government to make up that loss when the vehicle license fees were lowered in 1998. He also proposed future tax increases in tobacco taxes, a one-cent sales tax increase, and increases in tax rates for the upper income brackets.
- The legislature has proposed a \$12.4 billion package made up of \$8.4 billion in cuts and a suspension of the 1998 vehicle license fee (VLF) rebates, which would restore \$4 billion to the general fund. This difficult decision regarding the VLF was made by the legislature in order to protect local governments that rely on VLF funds to pay for public safety, parks, roads, human services, and other day-to-day services to their communities. That money would have been lost to local government under the Governor's proposal. It is my hope that any restoration of the VLF back to 1998 levels is only temporary as we weigh additional cuts and less onerous revenue options.

Based on e-mails and letters that so many of you have taken the time to send me, some of the most unpopular proposed cuts are to schools, community colleges, regional centers, libraries, transit, and cities and counties, as well as a possible 15% reduction of Medi-Cal reimbursements to doctors, dentists, pharmacists, clinics and nursing homes.

**Health** – Many health professionals with whom I have spoken say that they might not be able to afford to continue to see Medi-Cal patients if their reimbursement rates are cut. We all know that preventive and accessible health care is far less expensive than waiting until someone becomes sick enough to end up in an emergency room. As a long-time teacher, I know first-hand that children cannot do their best at school if they are not well.

**Schools** – Parents, teachers and administrators made a strong case for the near impossibility of them absorbing cuts in the middle of this school year because as much as 85% of their budgets were already committed. I supported the relatively smaller reduction in mid-year cuts, but knowing that the potential for additional cuts in 2003-04 still remains. Legislative hearings will be held on categorical block grants for K-12 to provide maximum flexibility to the local school districts. The Federal government will continue to cause budget problems for California's schools with reduced money for mandated special education services and the increased testing and accountability contained in "No Child Left Behind."

#### **The politics of the current budget stalemate:**

The Governor has stated that he intends to veto the legislature's \$12.4 billion budget package that would have addressed the shortfall for the balance of 2002-03. If so, this means that we need to go back and look at all options again. Here are some that are being considered. Some are more practical than others, but everything should be on the table at this stage.

- Many of my Republican colleagues suggest accepting all of the Governor's proposed cuts (although they voted against cutting the \$4 billion in VLF funds to local government), plus an additional 5-10%

across-the-board, and the adoption of a spending cap. Hearings would be held to see how this would impact schools and colleges, local government, law enforcement, the courts and justice system, and health and human services.

- Some legislators advocate putting new tax measures on the ballot. This might include higher taxes on alcohol and tobacco, and raising taxes on upper income tax brackets (ex., couples who make more than \$500,000 a year). Since it takes a 2/3 vote for the legislature to pass a tax, a voter-approved initiative might actually be easier.
- A possible ballot initiative to increase the state sales tax by either ½ or 1 cent and have the increase in revenue guaranteed to schools and/or medical care.
- A possible ballot initiative to reassess commercial (not residential) property tax limits perhaps every 20 years.
- Ongoing hearings to review the budgets of every state department, including corrections, will continue through the spring and summer to look for additional efficiencies, cuts, or realignments.
- Cuts in the operating budgets of all legislative offices.
- Budget restructuring hearings to continue to seek fundamental long-term solutions.
- A possible constitutional amendment to allow for a simple majority vote of the legislature to adopt the budget instead of the current 2/3 requirement.

### **A personal reflection...**

It has been a major frustration for me personally to see how different California's budget process is from 47 other states and from the Federal government. California not only requires a 2/3 vote to pass a budget, but constitutionally we must balance every budget.

By contrast, the Federal government can engage in deficit spending and can pass its budget with a simple majority of Congress. In fact, last year's Federal budget was just passed seven months late. The Federal government has gone from a \$200 billion surplus to an estimated current \$300 billion deficit – a \$500 billion drop in just two years. This is without including the billions of additional dollars of deficit spending should we go to war with Iraq and the post-war costs of stabilization of the new government.

As I end on this fairly grim note, unless the Republicans and Democrats can come together for some serious good faith work on a budget solution, California could run out of money by May.

## **Perchlorate Water Contamination**

On February 10, I participated in an informational Joint Hearing of the Assembly Committee on Natural Resources and the Assembly Committee on Environmental Safety and Toxic Materials chaired by my colleagues Assemblymember Hannah-Beth Jackson and Assemblymember John Laird. The subject was



perchlorate contamination of the state's groundwater supplies.

Perchlorate is a toxic substance which is in the water of at least 20 counties in California. Testimony from the Executive Officer of the Regional Water Quality Control Board characterized perchlorate in local water as a "very extensive problem." Legacy sources include our "arsenal democracy," fireworks, flares, and fertilizers, but the most prevalent sources and the highest concentrations are associated with aerospace contamination – principally rocket fuel. The highest known detection of perchlorate near the 41<sup>st</sup> Assembly District is at the Santa Susana

Field Lab (SSFL) on the former Rocketdyne site in Chatsworth.

One expert testified that perchlorate in SSFL groundwater is at 670 parts per billion (ppb) on its southern edge adjacent to Bell Canyon. The State Office of Environmental Health Hazard Assessment has set the

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public health goal at between 2-6 ppb. During Rocketdyne's operations, 1700 lbs. of rocket fuel were ignited and disposed of on site in a 5-acre burn pit. The site was further compromised by the nuclear reactor meltdown in the late 1950s. There is a high level of concern about contamination in the underground water in light of artesian wells, springs and seeps.

Perchlorate doesn't degrade. It moves in water, is taken up by plants and stored in the leaves, moving up the food chain and being bioaccumulated and ingested by foragers. Perchlorate can also be inhaled if found in the soil and fugitive dust. It is a leader substance. Where it is found, other chemicals can be expected to be found. It is a serious public health issue. A spike in children's neurological problems has been identified. Perchlorate operates by blocking iodine in the diet, which is linked to impaired brain development and lower IQs in newborns. There have been no studies done yet on the long-term health impacts of ingesting perchlorate.

Because the SSFL is directly adjacent to Ahmanson Ranch, the discovery of perchlorate in well #1 on their site was a major issue when the Final Supplemental Environmental Impact Report was being reviewed by Ventura County. Although Ahmanson has stated that they will simply cap that well and not use it for irrigation as previously planned, the testimony received at the hearing about underground fractures and movement of water beneath the project left me unsatisfied by their assurances.

The Regional Water Quality Control Board has issued a cleanup-and-abatement order to Ahmanson, but also testified that perchlorate is still leaving the SSFL site even today in stormwater runoff. Ahmanson is positioned at the headwaters of Malibu Creek. We just experienced a huge winter storm, and any runoff from that project is carried directly into my district, through the Santa Monica Mountains via the Malibu Creek watershed, and exits in the City of Malibu totally untreated into the ocean. Although Ventura County certified Ahmanson's environmental report, I appreciate that the Regional Board is still taking aggressive steps to address Ahmanson's water issues and to protect the public's health, and I have been receiving frequent briefings in order to stay current. They were scheduled to meet with the Ahmanson representatives last week to set up strict testing protocols, including split samples that could be made available to outside experts for testing and maximum credibility of the results.

## **Wildlife Conservation Grant Awarded To City of Port Hueneme**

The State Wildlife Conservation Board met on February 11 to consider various applications for grants for habitat-related projects. Among the successful applicants was the City of Port Hueneme, which was awarded \$200,135 to improve the Port Hueneme Fishing Pier.

The pier, located roughly 10 miles south of Oxnard, is used by 600,000 residents every year for fishing, strolling, and as a vantage point to enjoy the beautiful Central Coastline. Recently, the pier had been closed because of cumulative deterioration from winter storms and marine organisms.

This grant will enable the City of Port Hueneme to replace up to 92 aging and unsafe wooden pier supports. This was my first Wildlife Conservation Board meeting since being appointed to the legislative advisory committee of the Board, and it was a pleasure to be able to share with my fellow Board members my strong and enthusiastic support for this great project.

Funds will come from the voter-approved Proposition 12 Safe Neighborhood Parks, Clean Water, Clear Air and Coastal Protection Bond Act.

## **Federal Dollars Acquired for Parkland**

I was very pleased to hear that Congress has included \$1 million in the *Land and Water Conservation Fund* for land acquisition in the Santa Monica Mountains National Recreation Area. While this is less than the \$2.5 million that had been requested, there are still many properties in the mountains with high resource value that are presently threatened with development. This \$1 million will be very well used toward putting increasingly more of the mountains into public ownership for future generations to enjoy.



## Taft High School Takes Top Honor In L.A. Unified Academic Decathlon

Congratulations to the students at Taft High School who beat out 58 other schools on February 6 and won the L.A. Unified Academic Decathlon championship title. I also want to express my appreciation to the teachers who worked so hard to coach these outstanding young people. Taft has twice won the national Academic Decathlon title. On the winning team this year are academic stars Erfun Geula, James Yoo, Aaron Siani, Veronika Heckova, Elizabeth Dunn, Faisal Khan, Ryan McBride, Richard Kwak, and Jesse Gomez.

Recognition is also due to El Camino Real High School that placed third, and to Palisades Charter High School, both of which teams excelled and will join Taft at the state Academic Decathlon on March 7-9.

## And in Ventura County...

... the first place Academic Decathlon title was taken by Moorpark High School, which is in the district where I taught middle school for 25 years. I actually taught four of the team members in my 8<sup>th</sup> grade History class, and was excited to hear of their great win. Congratulations to the Ventura County champs, who will also move on to the state competition in March.

## Concerned About Protecting Your Privacy?

- **Make Them Stop Calling** – Last year, the legislature passed SB 771 (Figueroa). This bill should be up and running by April 1, and now allows anyone who does not wish to receive unsolicited telemarketing calls to put their name on a “no call” list. Any company that calls a listed resident will be fined. Charities and certain small local businesses are exempt. Implementation of the program was delayed briefly when a Federal program for interstate calls was announced by the FTC and possible pre-emption issues had to be determined. Telemarketers have filed suit against the FTC to challenge the Federal program, but California’s program is unaffected.



If you would like to put your name on the California “no-call” list, visit the Attorney General’s website at <http://ag.ca.gov>, or telephone my District Office and ask that the form be mailed to you. If anyone calls you and offers to put you on the list for a fee, it is a likely scam. California’s program is operated exclusively under the aegis of the Attorney General.

- **No More Junk Mail** – Once you’re off the telemarketers’ phone list, you may be able to do something about junk mail. If you’re tired of having your mailbox stuffed with unsolicited mail, pre-approved credit card applications, etc., you may want to look into this industry program. The Direct Marketing Association has its own program for its own companies.

To reduce direct marketing mail, you can write and ask that your name be removed from their list. Mail your letter to Direct Marketing Association, Mail Preference Service, P.O. Box 9008, Farmingdale, N.Y. 11735-9008.

You can also “opt out” of unsolicited commercial e-mail by using the Direct Marketing Association’s online form at [www.e-mps.org](http://www.e-mps.org).

State Senator Debra Bowen has also introduced a bill, SB 12, which is an outright ban on spam, which is estimated to cost U.S. businesses billions of dollars annually in lost productivity.

- **Credit Card Offers:** All three credit rating bureaus offer a toll-free number that enables you to “opt out” of having pre-approved credit offers sent to you for two years. Call 1-888-5-OPTOUT for more information on how to stop that mail.

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- **Sloppy Lending Practices:** The Federal Trade Commission (FTC) recently reported that consumer fraud complaints soared 73% last year and identity theft accounted for the lion's share of the growth, accounting for 43% of all crimes tallied. California was the leader in the number of cases, with more than twice as many fraud and identity theft complaints as any other state.

The FTC estimates that it costs the average victim \$1,000 in long-distance phone calls, notary charges, mailing costs and lost wages to get his or her financial life back in order after an identity thief strikes. A significant cause of identity theft, according to law enforcement officials and other experts is that credit grantors are not compelled to check the accuracy of identifying information when issuing credit. The result is that thieves often can get credit in a consumer's name with nothing more than a Social Security number. Discrepancies in an applicant's address, employment history, maiden name and, sometimes, gender often are ignored by the firms granting credit, experts add.

Current law requires credit lenders to verify that the address on the credit application matches the address on the consumer credit report. However, lenders are not required to verify any other information.

To address this situation, I have introduced AB 1610, sponsored by CALPIRG, that will require credit lenders to check more than just a credit applicant's address, including, but not limited to the consumer's full name, date of birth, social security number, and maiden name, before issuing credit.



## No-cost Tax Preparation Assistance

The California Franchise Tax Board and the IRS are offering free help with the preparation of basic Federal and state income tax returns for medium- and low-income, elderly, and non-English-speaking taxpayers through the VITA/TCE programs.

Here are some locations in or near the 41<sup>st</sup> AD:

### AGOURA HILLS

#### **Agoura Hills Senior Center**

30610 Thousand Oaks Blvd.  
(818) 597-7361  
Wednesdays 9:00 a.m. to 3:00 p.m.  
Appointment only

### CANOGA PARK

#### **Canoga Park Senior Center**

7326 Jordan Avenue  
(818) 340-2633 – Rosie Park  
Monday/Friday 9:00 a.m. to 4:00 p.m.  
Appointment only

### OXNARD

#### **Wilson Senior Center**

350 North "C" Street  
(805) 385-8028  
Wednesdays from 9:30 to 11:30 a.m.  
English and Spanish  
Walk-ins and by appointment

### SANTA MONICA

#### **WISE Senior Services**

1527 Fourth Street  
(310) 394-9871 – Melodye Kleinman  
Tuesday/Thursday/Friday from 9:00 a.m. to 4:00 p.m.  
Appointment only

### WOODLAND HILLS

#### **Pierce College**

6201 Winnetka Avenue  
(818) 719-6479 -- David Braun  
Wednesday 6:00 – 9:00 p.m., Saturday 9:00 a.m. to noon  
Walk-ins

# Historic Reyes Adobe to be Restored

In either 1797 or 1820 – it is uncertain -- Jose Reyes came to the Las Virgenes valley and built an adobe home in what is now the City of Agoura Hills. Because of its location along the historic El Camino Real (now the 101 freeway), it has also served as a way station for passing travelers and Spanish missionaries. The famous bandit, Joaquin Murrietta, is said to have spent a night at the Reyes Adobe.



Over the years, the building deteriorated in condition, and shortly after Agoura Hills incorporated, the city acquired the adobe with the intent of restoring it as a historical site and for appropriate kinds of public use and enjoyment. To assist with this great project, I was very happy to be able to work with the Santa Monica Mountains Conservancy last fall to obtain a grant for the City in the amount of

\$400,000 from the voter-passed Proposition 40. The check was formally presented from the Conservancy to the City on December 18, 2002. I'm looking forward to the completion of the restoration of the Reyes Adobe and its barn.

## Assemblymember Pavley's Committee Assignments

Appropriations Committee  
Arts, Entertainment, Sports, Tourism, and Internet Media Committee  
Budget Committee  
Education Committee  
Transportation Committee  
Water, Parks and Wildlife Committee  
Chair, Select Committee on Air and Water Quality  
Chair, Budget Subcommittee #3 on Resources  
Legislative Advisory Committee – Wildlife Conservation Board  
Legislative Advisory Committee – California Coastal Conservancy  
Santa Monica Mountains Conservancy Advisory Board

### HOW TO REACH ME:

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If you know of anyone who you think would like to receive these newsletters, please e-mail their name, mailing address and e-mail address, and I'll be happy to add them to my list.

